IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

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WRIT PETITION NO : 17849 of 1995

Between:

1 Padala Peda Ammi Reddy, S/o. Satyanarayana Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
2 Satti Satyanarayana Reddy, S/o.Adi Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
3 Mallidi Lacchi Reddy, S/o.Veer Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
4 Veerabathula Vijaya Kumar, S/o.Dharmadas,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
5 Varri Appa Rao, S/o.Chinnalu,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
6 Satti Tata Reddy, S/o.Adinarayana Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
7 Sabbella Gopala Reddy, S/o.Veera Raghava Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
8 P.Venkata Rama Reddy, S/o.Ammi Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
9 Kovvuri Satyanarayna Reddy, S/o.Ammi Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
10 Siriparupu Soor Rao, S/o.Paidaiah,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
11 Tetala Adi Reddy, S/o.Veer Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
12 Medapati Kodandarami Reddy, S/o.Achyuta Rama Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
13 Satti Venkat Reddy, S/o.Adinarayana Reddy,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.
14 Siriparupu Paidaiah, S/o.Acchanna,
R/o.Kommaripalem, Bikkavlolu Mandal, East Godavari District.

..... PETITIONERS

AND

1 The District Collector (Panchayat Wing),
East Gopdavari District, Kakinada.
2 The Sub-Collector, Rajahmundry,
East Godavari District.
3 The District Panchayat Officer, Kakinada,
East Godavari District.
4 The Superintending Engineer, Irrigation,
Dowleswaram, East Godavari District.
5 The Executive Engineer, East Godavari,
Eastern Division, Dowleswaram, East Godavari District.
6 The Extension Officer, Panchayats,
Anaparthi, Anaparthi Mandal, East Godavari District.
7 Kommaripalem Gram Panchayat, Bikkavolu Mandal,

East Godavari District, Rep. by its Executive Officer.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction declaring the action of the first respondent in issuing Circular Rc.No.13654/89/A6 dated 03-08-1990 and circular dated Rc.No.3388/95-A4 dated 19-07-1995 as arbitrary, illegal, without jurisdiction, violative of the fundamental rights guaranteed to the petitioners under Articles 14 and 21 of the Constitution of India, contrary to the instructions issued by the government in G.O.Ms.No. 221 dated 21-5-83 and also the interim orders of this Court dated
11-9-90 in W.P.M.P.No.15288 of 1990 in W.P.No.11929 of 1990 and dated 01-02-93 in W.P.M.P.No.12738 of 1992 in W.P.No.10102 of 1991 and issue consequential direction to the respondents to conduct auction of lease hold rights for growing grass on the bunds adjacent to their agriculture lands.

Counsel for Petitioners: MR. S.SRINIVAS REDDY

Counsel for Respondents: GOVERNMENT PLEADER FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following:

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THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION No.17849 of 1995

ORDER:

This writ petition is filed seeking to declare the action of the first respondent in issuing Circular Rc No.13654/89/A6, dated 3-8-1990 and Circular Rc No.3388/95-A4, dated 19-7-1995 as arbitrary, illegal, without jurisdiction, violative of the fundamental rights, contrary to the instructions issued by the Government in G.O.Ms.No.221, dated 21-5-1983 and also interim orders of this Court and consequentially to direct the respondent to conduct auction of lease hold rights for growing grass on the bunds adjacent to the agricultural lands of the petitioners.

When the matter came up today, the learned Government Pleader for Panchayat Raj submits that the subject matter of this writ petition is squarely covered by the order of this Court, dated
24-1-2001, made in W.P.No.10102 of 1991, which was dismissed as infructuous.

Following the order in W.P.No.10102 of 1991, dated 24-1-2001, this writ petition is also dismissed as infructuous for the same and similar reasons. No costs.

N.V.RAMANA, J

Dated: 9th September, 2004.

Ksr/Ak*

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The District Collector (Panchayat Wing), East Godavari District,

Kakinada.

2.The Sub-Collector, East Godavari District at Rajahmundry.

3.The District Panchayat Officer, East Godavari District at Kakinada.

4.The Superintending Engineer, Irrigation, Dowleswaram,

East Godavari District.

5.The Executive Engineer, East Godavari, Eastern Division,

Dowleswaram, East Godavari District.

6.The Extension Officer, Panchayats, Anaparthi, Anaparthi Mandal,

East Godavari District.

7.The Executive Officer, Kommaripalem Gram Panchayat,

Bikkavolu Mandal, East Godavari District.

8.Two CCs to the Government Pleader for Panchayat Raj,

High Court Buildings, Hyderabad (O.U.T).

9.Two CD copies.

(For Sl.Nos.1 to 7, along with order in W.P.No.10102 of 1991,

dated 24-1-2001).